

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

V.

ROBERT DUANE KNOWLES,

Defendant.

CASE NO. CR14-5395BHS

ORDER

This matter comes before the Court on the Defendant's unopposed Motion to Continue Trial Date. The Court, having considered the unopposed motion and the Defendant's speedy trial waiver, makes the following findings of fact and conclusions of law:

1. Defense counsel needs additional time to review 750 pages of recently received paper discovery, as well as electronic discovery, in order to prepare possible pretrial motions. Defense counsel is also unable to be adequately prepared for Mr. Knowles' trial due to previously scheduled trials in superior court.

2. The defense needs additional time to explore all relevant issues and defenses applicable to the case, which would make it unreasonable to expect adequate preparation for pretrial proceedings or for trial itself within the time limits established by the Speedy Trial Act and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).

3. Taking into account the exercise of due diligence, a continuance is necessary to allow the defendant the reasonable time for effective preparation his defense, to explore resolution of this case before trial and to ensure continuity of defense counsel. 18 U.S.C. § 3161(h)(7)(B)(iv).

4. Proceeding to trial absent adequate time for the defense to prepare would result in a miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

5. The ends of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B).

6. Defendant waived speedy trial through April 30, 2015.

NOW, THEREFORE, IT IS HEREBY ORDERED

That the trial date is continued from October 28, 2014, to February 10, 2015, at 9:00 a.m. Pretrial Conference is set for February 2, 2015, at 11:00 a.m. Pretrial motions are due by January 2, 2015. The resulting period of delay from September 30, 2014, to February 10, 2015, is hereby excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (B).

Dated this 7th day of October, 2014.


BENJAMIN H. SETTLE
United States District Judge